



**US Army Corps  
of Engineers**  
Portland District

# **PUBLIC NOTICE**

## **for PERMIT APPLICATION**

Issue Date: October 24, 2008

Expiration Date: November 24, 2008

Corps of Engineers Action ID: NWP-2008-627

**30 Day Notice**

Oregon Department of State Lands Number: 41537-RF

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

**Comments:** Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
ATTN: CENWP-OP-GP (Mr. Charlie Hanner)  
P.O. Box 2946  
Portland, Oregon 97208-2946

**Applicant:** Flowers Enterprises, Inc.

**Location:** The project is located at Section 30, Township 8 South, Range 1 West, east of Aumsville, Marion County, Oregon. From I-5 in Salem follow State Highway 22 east. Take exit 9 towards Aumsville. Turn left at Shaw Highway SE. Turn Left on Willamette Street and follow 0.5 mile to the dead end. Property is directly in front of you.

**Project Description:** The applicant proposes to construct an 87-lot subdivision of single-family residences on 22 acres of undeveloped land in Aumsville, Oregon. The proposed development includes the construction of four street extensions, three new interceptor streets, and two bio-swales. Prior to any land clearing and grading activity, erosion and sediment controls will be installed and remain in place for the duration of the construction activity. The construction of the proposed roads and lots will impact 0.8 acres of emergent wetlands. The types of equipment used will include graders, scrapers, track-hoes, and dump trucks.

The applicant proposes to provide compensatory mitigation offsite at the Mud Slough Mitigation Bank. If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

**Purpose:** The proposed development will help satisfy a growing need for housing in Marion County and the Aumsville area. The property has been annexed into the City of Aumsville. The city's transportation plan requires Fox, Deer and Willamette Streets to extend onto the subject property if developed. As proposed, the required extension of the roads will impact wetlands.

**Drawing(s):** 16 sheets, identified as Flowers Enterprises, Inc., COE #NWP-2008-627

**Additional Information:** Additional information may be obtained from Mr. Charlie Hanner, U.S. Army Corps of Engineers at (503) 808-4398.

**Authority:** This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

**Section 404(b)(1) Evaluation:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

**Public Hearing:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**Endangered Species:** Preliminary determinations indicate that the proposed activity will not affect endangered species or critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) is not required for the described activity.

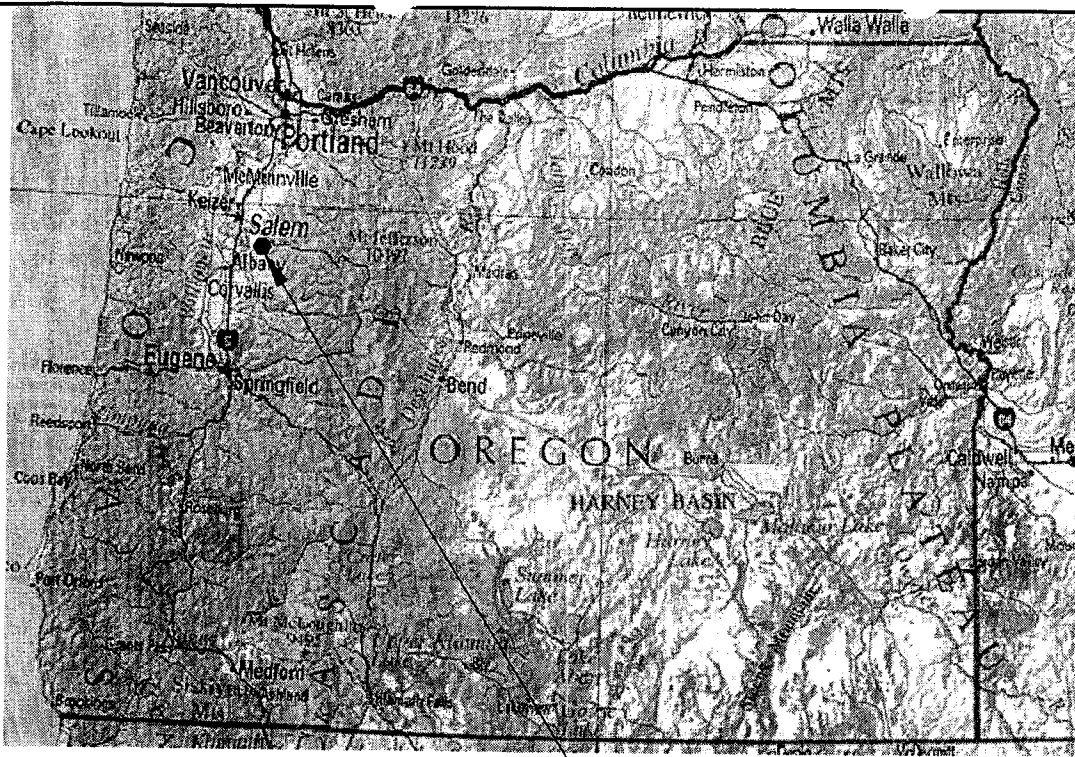
**Cultural Resources:** Section 106 of the National Historic Preservation Act of 1966, requires that all federally funded, permitted, or licensed projects be reviewed before work commences to determine whether they will affect historic properties. This notice has been provided to the State Historic Preservation Office, interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential affects.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

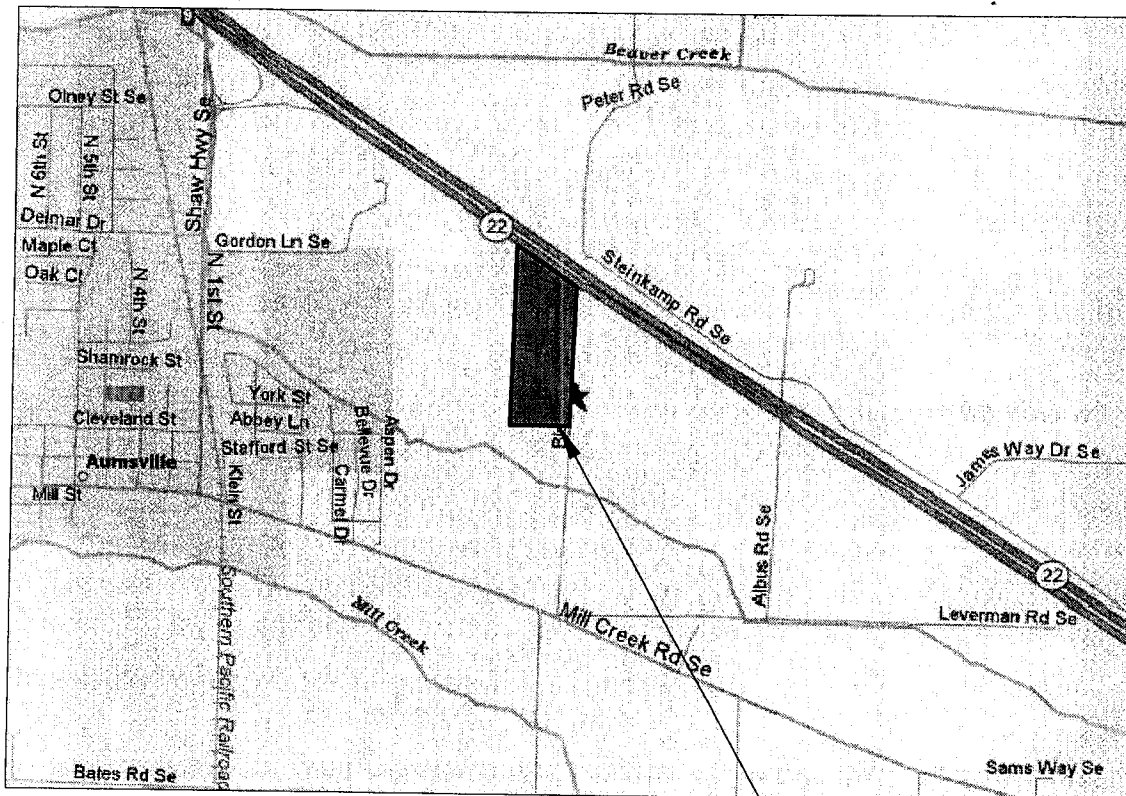
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the

impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

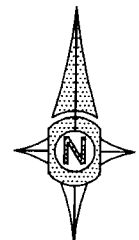
**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.



PROJECT AREA



VICINITY MAP NOT TO SCALE



PROJECT AREA

Date 08-08-08  
Project

Drawn by  
M. McCall  
Checked by  
BSV

**VICINITY MAP**

**FLOWERS PHASE IV  
AUMSVILLE, OREGON**

**UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC**  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-6125

FIGURE 1  
of

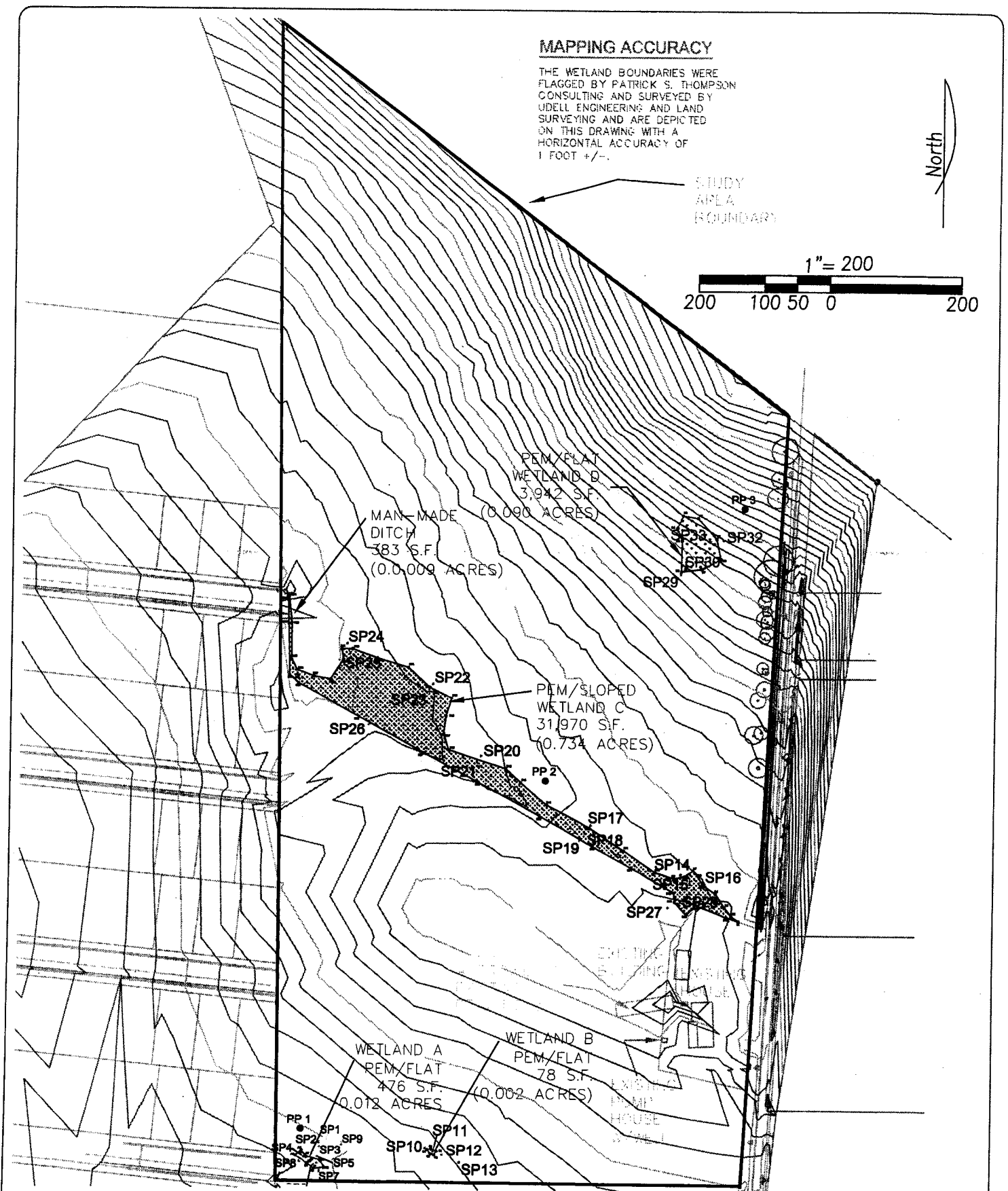
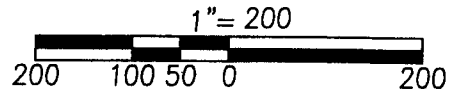
SCALE: AS NOTED

NWP-2008-627

# **MAPPING ACCURACY**

THE WETLAND BOUNDARIES WERE FLAGGED BY PATRICK S. THOMPSON CONSULTING AND SURVEYED BY UDELL ENGINEERING AND LAND SURVEYING AND ARE DEPICTED ON THIS DRAWING WITH A HORIZONTAL ACCURACY OF 1 FOOT +/-.

North



04-14-08  
DRG  
Job #: 2062  
Sheet 1 of 1

**FIGURE 2**  
**EXISTING CONDITIONS**

SCHOTT & ASSOCIATES  
21018 NE HWY 99E  
PO BOX 589  
AURORA, OREGON 97002

p: 503.678.6007  
f: 503.678.6011

IVWP-2008-1627

## SUMMARY:

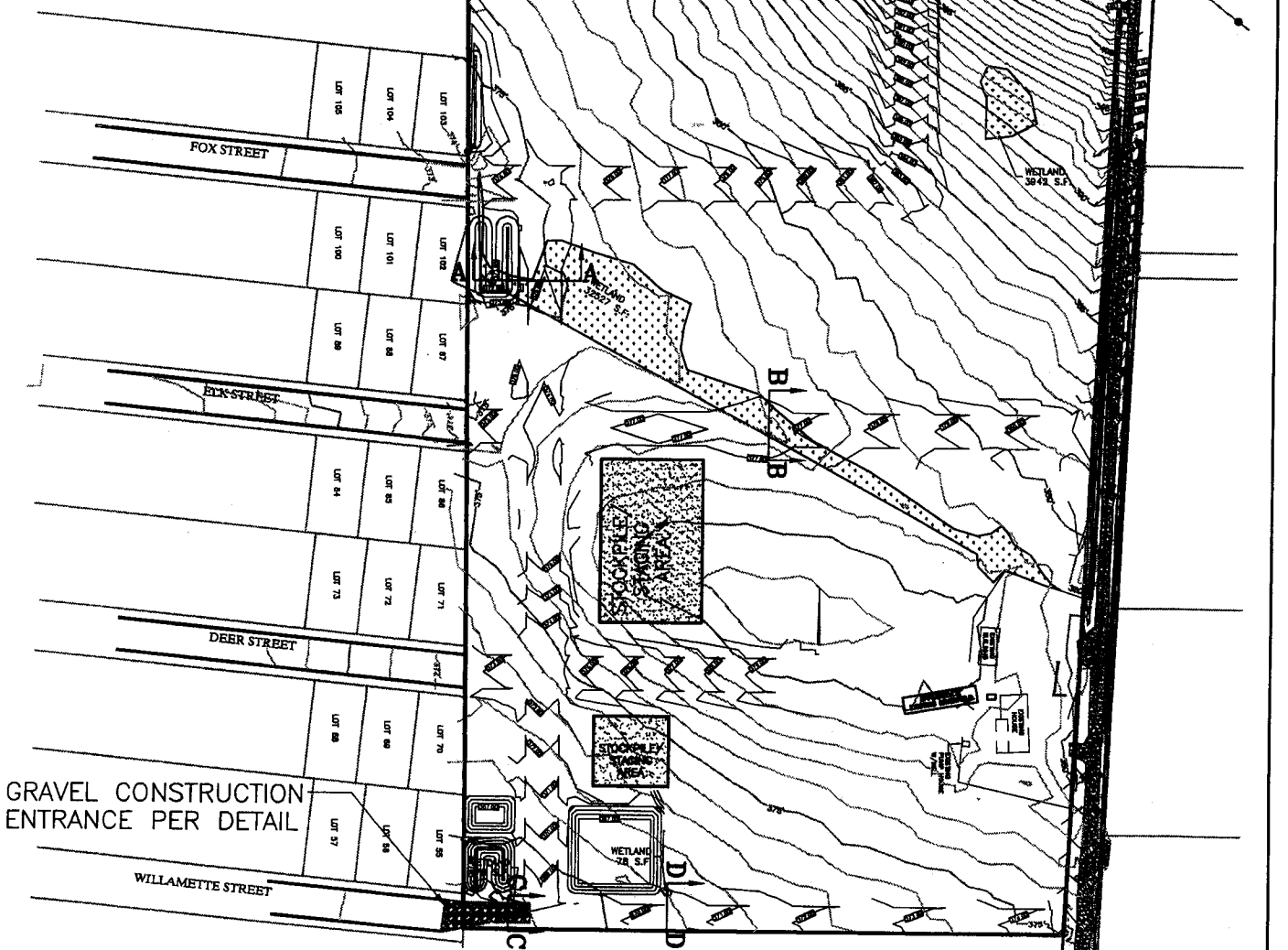
TOTAL EXCAVATION = 16,740 CYDS

TOTAL FILL = 9,200 CYDS

EXCAVATION IN  
WETLAND = 560 CYDS

FILL IN WETLAND = 415 CYDS

TOTAL IMPERVIOUS = 7.25 ACRES±



Date 08-08-08

Project

Drawn by

M. McCall

Checked by

BSV

**GRADING PLAN**

**FLOWERS PHASE IV  
AUMSVILLE, OREGON**

**UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC**

63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-6125

FIGURE 4  
of

SCALE: AS NOTED

1VWP-2008-627

TO BE COMPLETED PRIOR TO CONSTRUCTION  
BASED ON CONSTRUCTION SCHEDULE

EROSION CONTROL BMP SCHEDULE															
BEST MANAGEMENT PRACTICE	YES	NO	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	COMMENTS
<b>EROSION CONTROL PROCEEDURES</b>															
SEDIMENT FENCING															
SAND BAG BARRIER															
EARTH DIKES															
DRAINAGE SWALES															
ROCK OUTLET PROTECTION															
SEDIMENT TRAP															
FIBER ROLLS/STRAW WATTLES															
STABILIZATION MATS															
STORM DRAIN INLET PROTECTION															
SEDIMENTATION BASIN															
UNPAVED ACCESS ROAD STABILIZED															
PONDED WATER MANAGEMENT															
PAVING OPERATIONS CONTROL															
BMPs TO PREVENT ILICIT CONNECTIONS															
BMPs TO PREVENT ILLEGAL DISCHARGE															
REUSE AND RECYCLE CONSTRUCTION WASTE															
<b>CLEARING AND GRADING</b>															
TOP SOILING															
TEMPORARY SEEDING AND PLANTING															
PERMANENT SEEDING AND PLANTING															
BIOFERTILIZERS															
MULCHES															
COMPOST BLANKETS															
EROSION CONTROL BLANKETS															
SOIL BINDERS															
SOIL TACKIFIERS															
VEGETATIVE BUFFER STRIPS															
TREE PRESERVATION FENCES															
<b>RUNOFF CONTROLS</b>															
STABILIZE STREAM BANKS															
ENERGY DISSIPATORS															
GRASS-LINED CHANNEL															
CHECK DAMS															

**RATIONALE STATEMENT**

A comprehensive list of available Best Management Practices (BMP) options based on DEQ's 1200-C Permit Application and ESCP Guidance Document has been reviewed to complete this Erosion and Sediment Control Plan. Some of the listed BMPs were not chosen because they were determined to not effectively manage erosion prevention and sediment control for this project based on specific site conditions, including soil conditions, topographic constraints, accessibility to the site, and other related conditions. As the project progresses and there is a need to revise the ESCP, an Action Plan will be submitted.

Date 08-08-08

Project

Drawn by

M. McCall

Checked by

BSV

**EROSION CONTROL MATRIX**

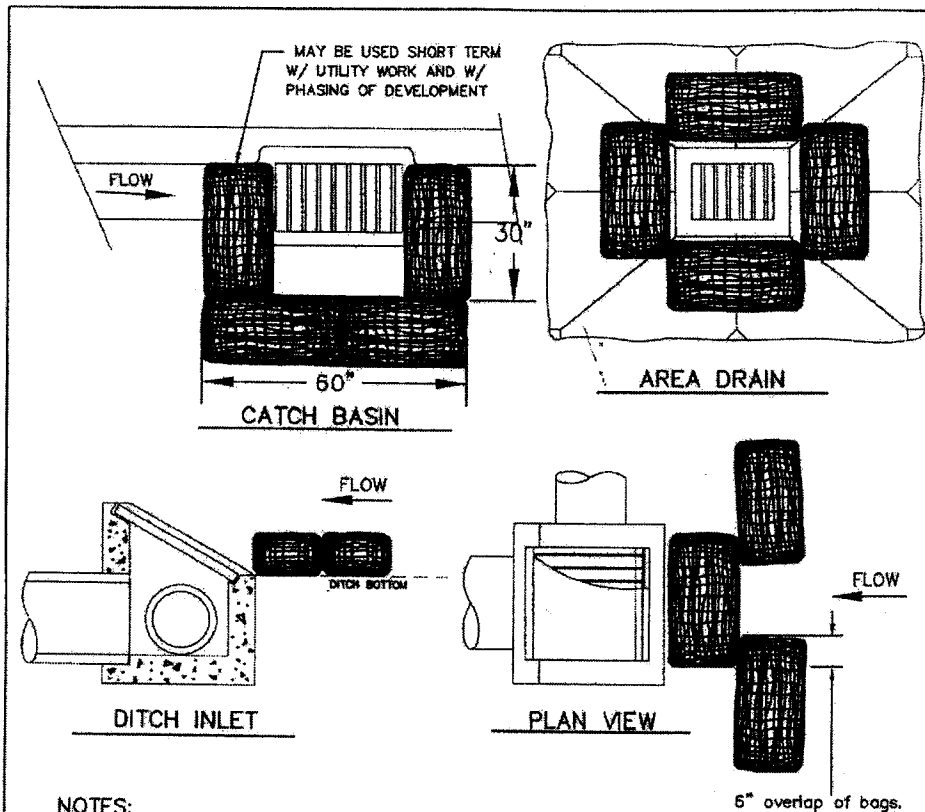
**FLOWERS PHASE IV  
AUMSVILLE, OREGON**

**UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC**  
63 EAST ASH ST.  
LEBANON, OREGON, 97356  
541-451-5126

FIGURE 5b  
of

SCALE: AS NOTED

VWP - 2008 - 627



**NOTES:**

1. ADDITIONAL MEASURES MUST BE CONSIDERED DEPENDING ON SOIL TYPES.
2. BIO-FILTER BAGS SHOULD BE STAKED WHERE APPLICABLE USING (2) 1"x2" WOODEN STAKES OR APPROVED EQUAL PER BAG.
3. WHEN USING 30" BIO-BAGS TO PROTECT A CATCH BASIN YOU MUST HAVE 4 BAGS AND THEY SHALL BE OVERLAPPED BY 6".

FOR FURTHER INFORMATION ON DESIGN CRITERIA SEE CHAPTER 4 OF CLEAN WATER SERVICES EROSION PREVENTION AND SEDIMENT CONTROL PLANNING AND DESIGN MANUAL.

**INLET PROTECTION  
TYPE 4**

DRAWING NO. 915

REVISED 12-06

**CleanWater Services**  
Our commitment is clear.

Date 08-08-08

Project

Drawn by  
M. McCall

Checked by  
BSV

**EROSION CONTROL DETAILS**

**FLOWERS PHASE IV  
AUMSVILLE, OREGON**

**UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC**

63 EAST ASH ST.  
LEBANON, OREGON, 97365  
541-451-6126

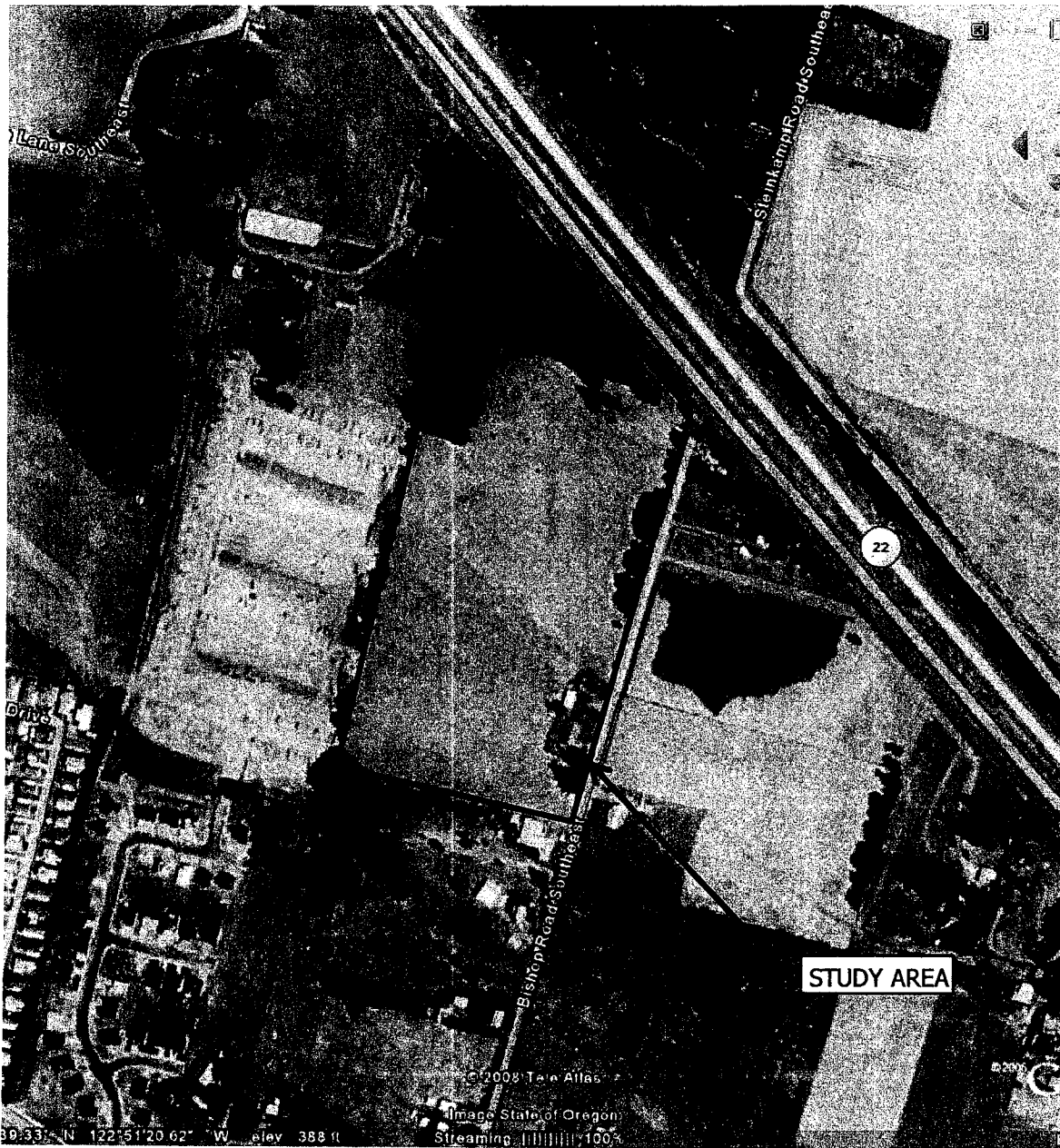
FIGURE 5e

of

SCALE: AS NOTED

NWD-2008-627



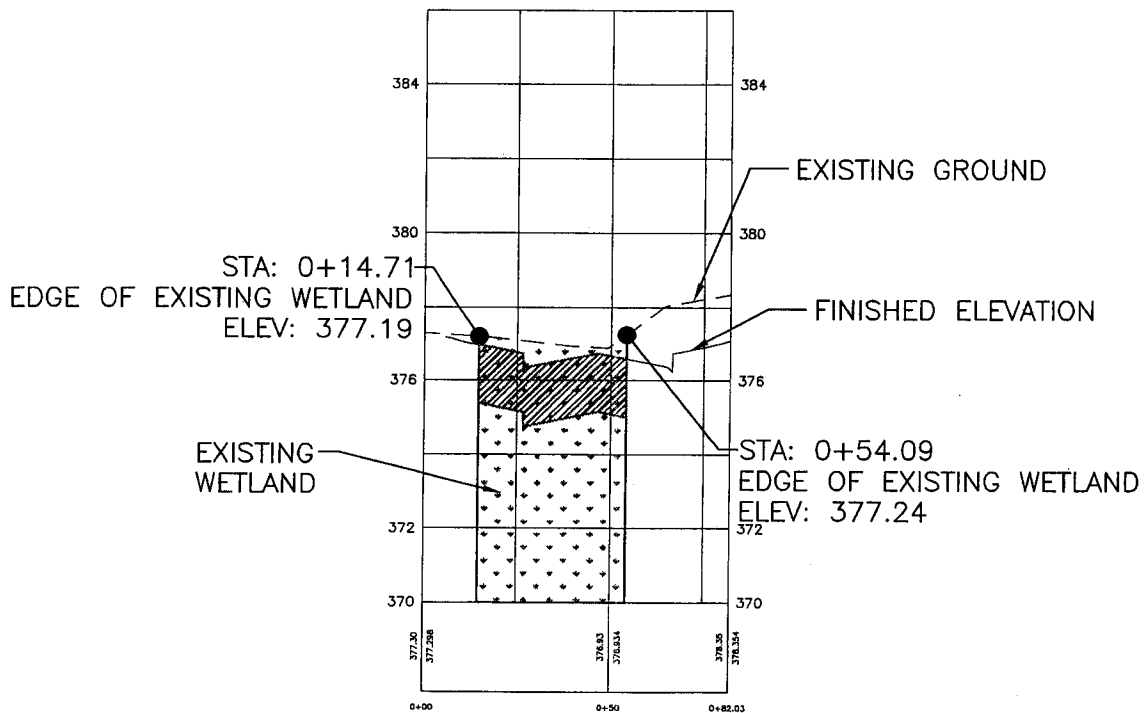
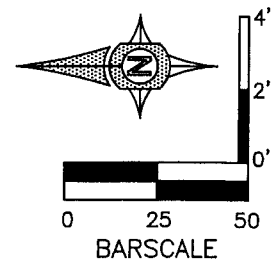
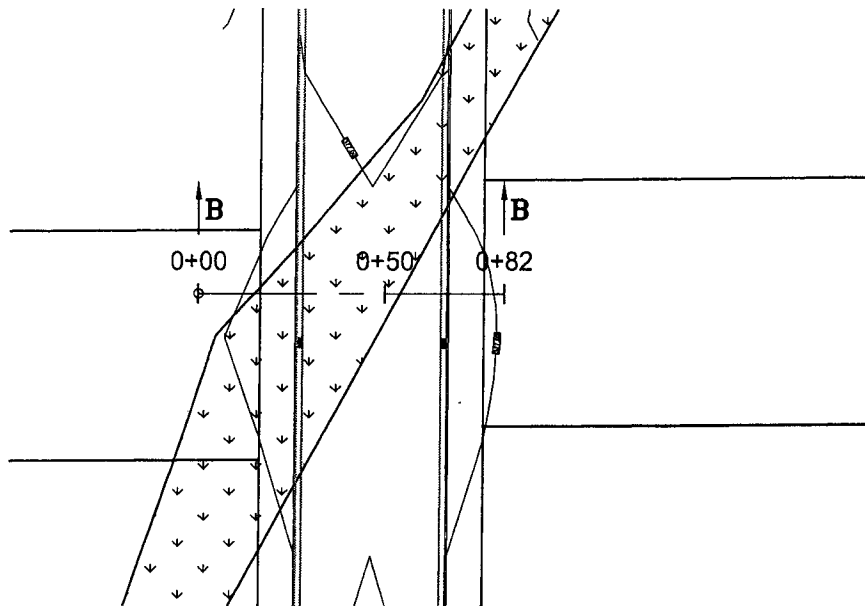


Map Provided by Google Earth

Figure 6. Aerial Photograph – Flowers Phase IV  
Aumsville, OR – Project #2062

Schott & Associates  
P.O. Box 589  
Aurora, OR. 97002  
503.678.6007

NWP-2008-627



CUT SECTION AREA = 49.9 SF

Date 08-08-08

Project

Drawn by  
M. McCall

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BSV

**SECTION B-B**

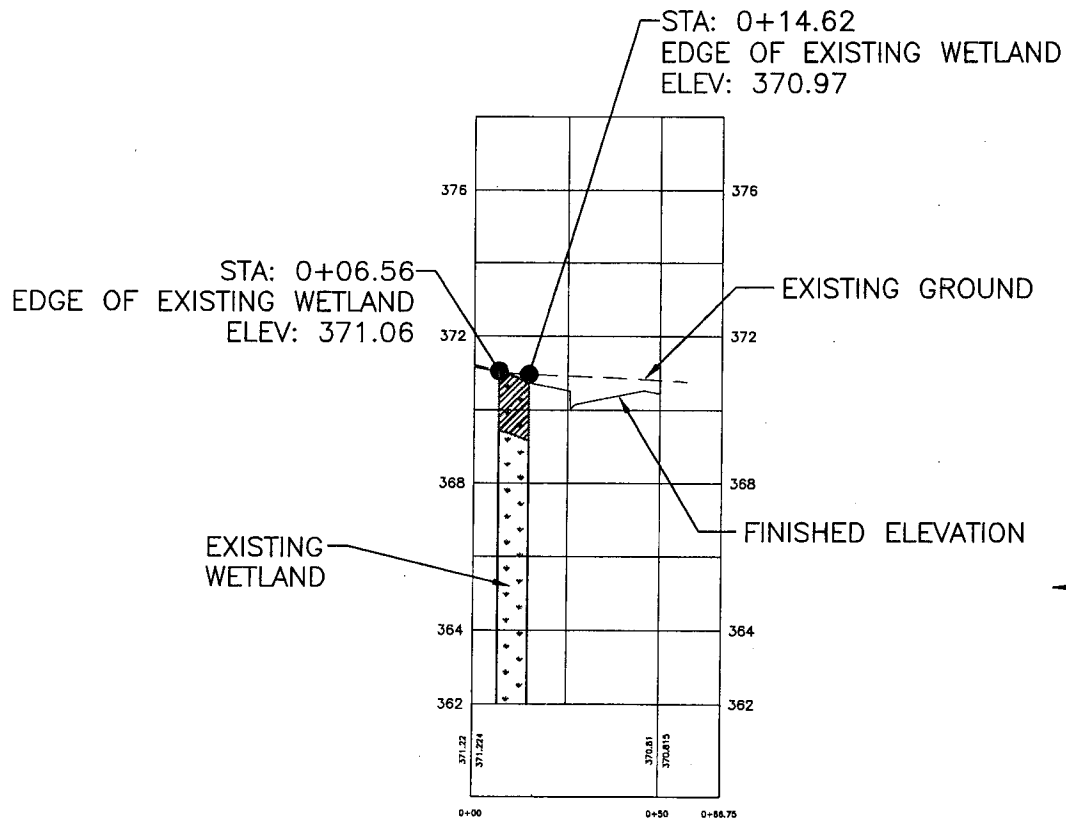
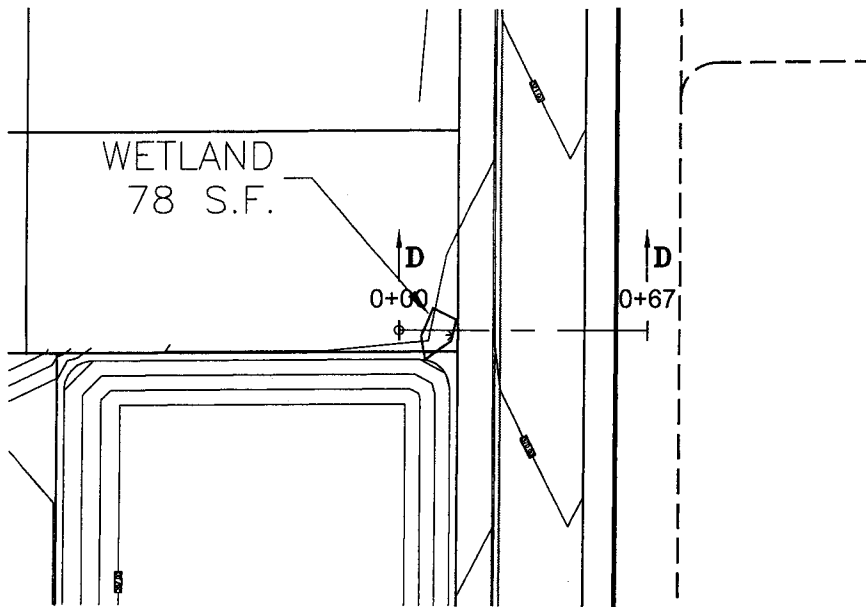
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LEBANON, OREGON, 97356  
541-451-5125

FIGURE 7b  
of

SCALE: AS NOTED

NWP-2008-627



CUT SECTION AREA = 10.2 SF

Date 08-08-08

Project

Drawn by  
M. McCall

Checked by  
BSV

**SECTION D-D**

**FLOWERS PHASE IV  
AUMSVILLE, OREGON**

**UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC**  
63 EAST ASH ST.  
LEBANON, OREGON, 97356  
541-451-5125

FIGURE 7d  
of

SCALE: AS NOTED

NWP-2008-627

**PUBLIC NOTICE**  
**Oregon Department of Environmental Quality (DEQ)**  
**Water Quality 401 Certification**

Corps of Engineers Action ID Number: NWP-2008-627  
Oregon Department of State Lands Number: 41537-RF

Notice Issued: October 24, 2008  
Written Comments Due: November 24, 2008

**WHO IS THE APPLICANT:** Flowers Enterprises, Inc.

**LOCATION OF CERTIFICATION ACTIVITY:** See attached U.S. Army Corps of Engineers public notice

**WHAT IS PROPOSED:** See attached U.S. Army Corps of Engineers public notice on the proposed project

**NEED FOR CERTIFICATION:** Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

**DESCRIPTION OF DISCHARGES:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**WHERE TO FIND DOCUMENTS:** Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, 401 Water Quality Certification Coordinator, Northwest Region, 2020 S.W. 4th Avenue, Portland, Oregon 97201-4953.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Jan Coomler at (503) 229-5087.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator at (503) 229-6030 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

**PUBLIC PARTICIPATION:**

**Public Hearing:** Oregon Administrative Rule (OAR) 340-48-0032 (2) states that "The Corps provides public notice of and opportunity to comment on the applications, including the application for certification, provided that the department (DEQ), in its discretion, may provide additional opportunity for public comment, including public hearing."

**Written comments:**

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on November 24, 2008. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Water Quality Certification Coordinator, Northwest Region, 2020 S.W. 4th Avenue, Portland, Oregon 97201-4953 or faxed to (503) 229-6957. *People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.* People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format to [401publiccomments@deq.state.or.us](mailto:401publiccomments@deq.state.or.us). Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

**WHAT HAPPENS NEXT:** DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

**ACCESSIBILITY INFORMATION:** This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Office of Communications and Outreach at (503) 229-5317 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.